GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PR&RD Department – Sri B. Bhavani Das, the then Chief Executive Officer (Retired), ZPP, East Godavari District (erstwhile) – Disciplinary proceedings initiated under Rule 20 of APCS (CC&A) Rules, 1991, on the irregularities of unauthorized opening of Savings Bank Account with opening balance of Rs.62,63,647/- by drawing sand seigniorage interest from ZPP General Funds, Kakinada, in violation of Section 197(2) of A.P. Panchayat Raj Act, 1994 – Charges proved in regular Inquiry conducted - Imposition of withholding of ten percent (10%) pension for a period of Five (05) years – Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.III) DEPARTMENT

G.O.Rt.No.769 **Dated:08/11/2023**

Read the following:-

1. GA (V&E) Dept., Vigilance Report No.59 (C.No.3146/V&E(DEV-I)/D2/2012, dated:07.04.2014.
2. Govt. Memo No.8316/Vig.III/A2/2014-1, Dated:22/09/2014.
3. G.O.Rt.No.818, PR&RD (Vig.III) Dept, Dated:20.08.2015.
4. Representation of Sri Bhavani Das, the then CEO, ZPP, Kakinada and Spl. Deputy Collector & Estate Officer, VUDA, Visakhapatnam District, Dated:28.01.2016.
5. G.O.RT.No.684, PR&RD (VIG.III) Dept., dt:05.06.2018.
6. From the Commissioner, PR&RD, A.P., Lr.No.518236/CPR&RD/VIG/2014, dated:20.07.2020.
7. Govt. Memo No.8316/Vig.III/A2/2014, Dated:02/08/2020.
8. Representation from Sri B. Bhavani Das, the then Chief Executive Officer, ZPP, Kakinada (now Retired), East Godavari District, dt:20.09.2020.
9. Govt., Memo No. PRR01-15023/7/2018-VIG III SECT-PRRD (480039), Dated:01/03/2023.
10. Explanation from Sri B. Bhavani Das, the then Chief Executive Officer, ZPP, Kakinada (now Retired), East Godavari District to the Show Cause Notice, dt:20.04.2023.
11. Govt., Letter No.480039/Vig.III/A2/2018, dt:21.07.2023.
12. From Secretary, APPSC, Vijayawada, File No.GAD03-APPS0DCC/80/2023- DC. SEC-APPSC (Computer No.2179253), dt:26.09.2023.

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ORDER:-

In the reference 1st read above, the Director General, General Administration (V&E) Department has submitted the Vigilance Report on the petition of Sri Thota Thrimurthulu, Hon'ble MLA of Ramachandrapuram Constituency against Sri B. Bhavani Das, the then Chief Executive Officer (Retired), ZPP, East Godavari District and three (03) others on irregularities of unauthorized opening of Savings Bank Account with opening balance of Rs.62,63,647/- by drawing sand seigniorage interest from ZPP General Funds, Kakinada. Accordingly, the Commissioner, Panchayat Raj & Rural

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Employment, Hyderabad, has been requested to take necessary action as per the recommendations of GA(V&E) Department, vide reference 2nd read above.

2. In the reference 3rd read above, Government have issued Article of charges against Sri B. Bhavani Das, the then Chief Executive Officer (Retired), ZPP, East Godavari District calling for his explanation on the charges framed against him under Rule 20 of APCS (CC&A) Rules, 1991. In the reference 4th read above, the Charged Officer has submitted his Written Statement of Defense duly denying the charges framed against him and requested to drop further action against him.

3. After examining the Written Statement of Defense submitted by the Charged Officer, and having not convincing of Written Statement of Defense, Government have decided to conduct common enquiry against Sri B. Bhavani Das, the then Chief Executive Officer (Retired), ZPP, East Godavari District and three (03) others, for the irregularities in misusing/diverting the sand seigniorage interest funds against the rules in vogue. Accordingly orders have been issued in the reference 5th read above to appoint Sri M. Sudhakar Rao, Additional Commissioner, O/o the Director, Panchayat Raj & Rural Development, Vijayawada as an Inquiry Authority and Chief Executive Officer, East Godavari District as Presenting Officer to conduct common inquiry into the charges framed against Sri B. Bhavani Das, the then Chief Executive Officer, ZPP, Kakinada (now Retired), East Godavari District and three (03) other Charged Officers involved in this case.

4. In the reference 6th read above, the Commissioner, Panchayat Raj & Rural Development, A.P., has submitted the enquiry report stating that out of 4 charges 2 charges are held proved against the Charged Officer, Sri B. Bhavani Das, the then Chief Executive Officer, ZPP, Kakinada, East Godvari District and requested the Government to issue final orders as per the findings of the Inquiry Officer against the individual.

5. In the reference 7th read above, communicated the Inquiry Report through the Commissioner, Panchayat Raj to the Charged Officer, Sri B. Bhavani Das, the then Chief Executive Officer (Retired), ZPP, East Godavari District for his explanation if any. The Charged Officer, Sri B. Bhavani Das, has submitted his explanation vide reference 8th read above, in which he stated that he agreed with the findings of the Inquiry Authorities and he prayed the authorities to order a fresh enquiry on the charges framed against him.

6. After examining the findings of the Inquiry Authority and representations submitted by the charged officer, Government have provisionally decided to impose the punishment of withholding of ten (10%) pension for a period of Five (05) years on Sri B. Bhavani Das, the then Chief Executive Officer, ZPP, East Godavari District (now retired). Accordingly, a Show Cause Notice has been issued to the Charged Officer duly indicating the proposed punishment, vide reference 9th read above. The explanation of

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the Charged Officer, received through reference 10th read above, which is not found convincing. Hence, it has been decided to confirm the proposed punishment to impose against the above retired charged officer.

7. In the reference 11th read above, the Secretary, Andhra Pradesh Public Service Commission has been requested to communicate the concurrence of the Commission on the proposed punishment for imposing penalty against the Charged Officer. The APPSC have concurred the proposed punishment of Government, to impose the penalty of withholding of ten (10)% pension for a period of Five (05) years on Sri B. Bhavani Das, the then Chief Executive Officer, ZPP, East Godavari District (now retired), vide reference 12th read above.

8. Government after careful consideration of the matter, have decided to impose punishment of withholding of ten percent (10%) pension for a period of Five (05) years under Rule-9 of A.P. Revised Pension Rules, 1980 against Sri B. Bhavani Das, the then Chief Executive Officer, ZPP, East Godavari District (now retired), as the charges are held proved on the allegation of unauthorized opening of Savings Bank Account with opening balance of Rs.62,63,647/- by drawing sand seigniorage interest from ZPP General Funds, Kakinada.

9. Accordingly Government hereby order to impose the punishment of withholding of ten percent (10%) pension for a period of Five (05) years against Sri B. Bhavani Das, the then Chief Executive Officer (now retired), ZPP, Kakinada, East Godavari District (erstwhile).

10. The Commissioner, Panchayat Raj & Rural Development, A.P., shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri B. Bhavani Das, the then Chief Executive Officer, ZPP, Kakinada, East Godavari District (Retired) (through Commissioner, Panchayat Raj)
The Commissioner, Panchayat Raj & Rural Development, A.P., Tadepalli, Guntur District with a request to obtain and furnish the dated acknowledgment of the orders
Copy to:
The OSD to Hon'ble Dy CM(PR&RD).
The Secretary, APVC, Secretariat Building-5, Velagapudi.
The Secretary, APPSC, Vijayawada (w.r.t File No.GAD03-APPS0DCC/ 49/2023-DC SEC-APPSC, Computer No.2065014, dt:19.05.2023)
The Accountant General, A.P., Vijayawada.
The GA(V&E) Dept.
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER